

REGULAR CITY COUNCIL MEETING
JANUARY 22, 1996

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Dale Roper	Council Member
Glen Swalberg	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Merrill Erickson	Boy Scout
Judy Baker	City Treasurer
Gregory Schafer	City Employee
Chris Studdert	Great Basin Feed
Darin Phelps	Chronicle/Progress

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio stations, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Glen Swalberg offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

There were no minutes presented.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Dale Roper MOVED that the accounts payable be approved for payment as listed in the

amount of \$92,439.40. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

CHRIS STUDDERT: POSSIBLE SIDEWALK PROJECT

Mayor Dafoe welcomed Chris Studdert, Great Basin Feed and Supply, and asked him to discuss a possible sidewalk project.

Chris Studdert presented and discussed the following letter:

"Great Basin Feed & Supply will begin business in Delta on January 30. We have obtained the building located at 279 East Main, directly across from McDonalds. We are excited to be in Delta and hope our business will boost economic growth for Delta.

As we, the owners, have begun to plan for this opening a few concerns have come to mind. Mainly, the curb and sidewalk area directly south of the building. The sidewalk and curb are in desperate need of rebuilding. Both are riddled with cracks and breaks. All of the sidewalk and curb area to the west of our building has been redone.

We desire to build and maintain the best looking building on Main Street. To accomplish this we would like to obtain help from the city in rebuilding the sidewalk and curb. If the city is willing to do this we will provide all landscaping in the area between the sidewalk and curb.

This area needs beautification and we would like to play an important role in that beautification. With your help we can begin this process."

The City Council discussed Mr. Studdert's proposal and Mayor Dafoe said that the City would be willing to participate. Mr. Studdert offered to contact the adjoining property owner to see if he would be willing to participate also in front of TNT Cleaners to the east end of the block.

Mayor Dafoe said that old sidewalk removal is the property owner's responsibility, and the City will pay for one-half of site preparation costs and one-half of concrete replacement costs.

Mayor Dafoe suggested that a storm drain be installed on 300 East at the same time the sidewalk is installed.

There was no Council action taken at this time. Mr. Studdert will contact other property owners and report back to Mayor Dafoe.

COUNCIL MEMBER ROBERT DEKKER: DRUG PREVENTION PROGRAM

Mayor Dafoe asked Council Member Robert Dekker to discuss a drug prevention program.

Councilman Robert Dekker said that he knows of a group of people that will put on a self-esteem program for the studentbodies of the middle schools and high schools and parents within Millard County. The cost of the program is \$1,800 and is scheduled for February. Mr. Dekker said that the Millard County Commissioners have agreed to fund 1/3 of the cost, Millard School District will fund 1/3 and Fillmore City and Delta City are being asked to fund \$300 each.

Following discussion, Council Member Robert Dekker then MOVED to authorize the expenditure of \$300 for a self-esteem program to be held within Millard County. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: PROPOSED AMENDMENTS TO RESOLUTION 84-110 REGARDING WATER CONNECTION FEES AND WATER DEVELOPMENT FEES

Mayor Dafoe asked Public Works Director Neil Forster to discuss proposed amendments to Resolution 84-110 regarding water connection fees and water development fees.

Public Works Director Neil Forster said that he and Council Member Gayle Bunker prepared the following proposed amendment to Resolution No. 84-110:

2. The following water development fees shall be assessed on each new water connection being made in areas that have been accepted into the City, by annexation, after the effective date of Resolution 84-110:

Proposed Use	Acre Ft. Required	Water Rights Fee
Single family Unit - 9,999 sq. ft. lot or less	3/4 AF	\$720.00
Single Family Unit - 10,000 sq. ft. lot to 1/2 acre	1 AF	960.00
Single Family Unit - 1/2 acre to 3/4 acre lot	1-1/4 AF	1,200.00
Single Family Unit - 3/4 acre to 1 acre lot	1-1/2 AF	1,440.00
Single Family Unit - 1 acre to 1-1/2 acre lot	1-3/4 AF	1,680.00
Single Family Unit - 1-1/2 acre to 2 acre lot	2 AF	1,920.00
Single Family Unit - 2 acre to 5 acre lot	2-1/2 AF for each additional acre or part thereof	2,400.00
Mobile Home Unit - in Park	1/2 AF	480.00
Multi-Family Unit with Two or More Bedrooms	1/2 AF	480.00
Travel Trailer Unit - in Park	1/4 AF	240.00
Hotel or Motel Rooms, Studio or One Bedroom Apartments	1/4 AF	240.00
Commercial Development -- Plus additional, if required, based on proposed usage	1/2 AF	480.00

An administrative fee of \$50.00 per transaction will be charged. For uses not covered above, the administrative fee shall be determined by City Council.

Discussion was then held regarding another amendment to Resolution No. 84-110 regarding water connection fees. Mr. Forster presented the following proposed amendment:

1. The base fee for each new connection to the Delta City water distribution system, which shall be paid at or before occupancy, shall be as follows:

<u>SIZE OF METER</u>	<u>CONNECTION FEE</u>	<u>*DEBT RETIREMENT AND CAPITAL IMPROVEMENTS</u>
3/4 "	\$ 275.00	Based Upon Estimated Use
1"	400.00	"
1-1/2"	750.00	"
2"	1,050.00	"

Connections larger than 2" will be negotiated with the Delta City Council based on proposed quantity of use, type of use, number of connections, and other factors considered relevant by the City.

*Single Family Dwellings	\$400.00
Mobile Home Units	220.00 Per Unit
Multiple Family Dwellings (2 & 3 Units)	250.00 Per Unit
Multiple Family Dwellings (4 Units or More)	192.00 Per Unit
Travel Trailers and R.Vs.	160.00 Per Unit
Hotels and Motels	100.00 Per Unit
Commercial Space	100.00 Per 1,000 Square Feet

Following discussion, Council Member Gayle Bunker MOVED to approve the proposed amendments as presented and to instruct Attorney Waddingham to prepare a resolution adopting the above amendments to Resolution No. 84-110 regarding water development fees and water connection fees. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROCEDURES FOR DRUG AND ALCOHOL TESTING PROGRAM FOR EMPLOYEES WITH COMMERCIAL DRIVER'S LICENSES

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed resolution regarding procedures for drug and alcohol testing for employees with Commercial Drivers Licenses.

Attorney Waddingham presented a proposed resolution entitled:

RESOLUTION NO. 96-238

A RESOLUTION ESTABLISHING PROCEDURES FOR A
DRUG AND ALCOHOL-FREE WORKPLACE PROGRAM FOR
EMPLOYEES WITH COMMERCIAL DRIVER'S LICENSES

Attorney Waddingham explained that it is the intent of this policy to establish procedures on drug and alcohol testing and to provide guidelines for consistent handling of situations arising from those procedures.

Following discussion, Council Member Robert Dekker MOVED to adopt Resolution No. 96-238 as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Dale Roper	Yes
Council Member Glen Swalberg	Yes

Mayor Dafoe then signed the resolution. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

MAYOR DON DAFOE: APPOINTMENT OF NEW PLANNING COMMISSION'S
REPRESENTATIVE ON THE BOARD OF ADJUSTMENTS

Mayor Dafoe explained that Planning Commission Member Pauline Warner, who is serving as Chairperson, has also been serving on the Board of Adjustment as the Planning Commission representative. However, in a regular Planning Commission Meeting the Planning Commission agreed and recommended that Phil Sabey be appointed to the Board of Adjustment.

Following brief discussion, Council Member Robert Droubay MOVED to appoint Planning Commission Member Phil Sabey to the Board of Adjustments. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: APPOINTMENT OF JUSTICE COURT JUDGE

Mayor Dafoe explained that Justice Court Judge Stanley Robison has met all the requirements to serve as Delta City's Justice Court Judge and recommended that he be reappointed.

Council Member Glen Swalberg MOVED that Stanley Robison be reappointed as Delta City's Justice Court Judge. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: APPROVAL OF TRANSFER OF MONIES FROM WATER CAPITAL RESERVE ACCOUNT FOR PURCHASE OF WATER RIGHTS

Mayor Dafoe said that Delta City's purchase of water from Delta Lands is nearly completed; the warranty deed has been signed; and upon receipt of a copy of the deed by the State Water Engineer, a certificate will be issued to Delta City transferring approximately 455 feet of water to Delta City.

Mayor Dafoe said that in considering the consumptive use for 455 acre feet, Delta City will receive 388.1 acre feet of water at \$150 per acre foot. Delta City is only required to pay 1/2 of the cost of the difference between 455 and 388 acre feet. The total cost of the water is \$62,850. Five-thousand dollars earnest money has already been paid leaving a balance of \$57,850.

Attorney Waddingham said that there is another 150 acre feet of water available from Delta Lands. Council Member Gayle Bunker recommended that Delta City purchase it if possible, and the City Council agreed.

Following lengthy discussion, Council Member Dale Roper MOVED to authorize the transfer of approximately \$57,850 from the Water Capital Reserve Account for the purchase of water rights. Council Member Robert Droubay SECONDED the motion. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Zoning Officer Neil Forster said that in a regular Planning Commission Meeting held January 10, 1996, an application for a zone change submitted by Mark Losee was discussed. He then presented the following recommendation from the Planning Commission:

"Mr. Losee has requested that a zone change from Commercial Development (CD) to Residential (R-4) be approved on property located on the corner of 100 North 300 West. The property is described as follows:

Beginning at a point on the Northeast corner of Lot 8, Blk 57, Delta Townsite Plat A, thence S 127.75'; thence W 123.75'; thence N

127.75'; thence E 123.75' to the point of beginning.

This zone change has been requested by Mark Losee in order to construct a home on the above lot.

The zone requested is contiguous with the Residential (R-4) Zone that is located directly east of their lot. However, it is also located next to Commercial Development on the west, which could allow for a commercial business to locate next to their property.

The Planning Commission has discussed this zone change request in detail and has considered Zoning Officer Neil Forster's recommendation for approval. Therefore, the Planning Commission recommends that the City Council schedule a Public Hearing for the purpose of receiving public comment regarding the proposed zone change and that the zone change on the above mentioned property be approved."

Following discussion, Council Member Robert Dekker MOVED to schedule a Public Hearing for February 26, 1996, at 6:45 p.m. to receive public comment regarding the above zone change request. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe reviewed with the City Council a letter from the University of Utah School On Alcoholism And Other Drug Dependencies. Mayor Dafoe stated that for the past several years Delta City has approved scholarships for selected individuals to attend the School. Delta City's cost for one scholarship this year is \$162 with the School paying \$163. The School will provide these scholarships for up to three people from the Delta area, and applications are due by May 1.

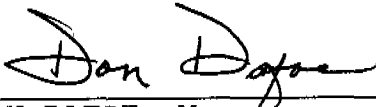
Mayor Dafoe presented a letter from the Millard County Commissioners that stated that they voted to increase residential landfill fees to \$8.00 per residence effective February 1, 1996.

Mayor Dafoe also presented a letter from Thorpe Waddingham expressing his appreciation for the cooperation and support given by Delta City to the Utah Centennial train stop of January 3, 1996.


RCCM 1-22-96

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Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:30 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 2-26-96